

215 U. S. Cases Disposed of Without Consideration by the Court.

Circuit granted. *The Attorney General, The Solicitor General* and *Mr. Assistant Attorney General Lloyd* for petitioner. *Mr. Albert H. Washburn* for respondent.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY  
THE COURT FROM OCTOBER 11, 1909, TO FEBRU-  
ARY 20, 1910.

No. 3. UNITED STATES OF AMERICA, SUING AT THE COSTS AND FOR THE BENEFIT OF PENN IRON COMPANY, LIMITED, PLAINTIFF IN ERROR, *v.* WILLIAM R. TRIGG COMPANY AND VIRGINIA TRUST COMPANY. In error to the Supreme Court of Appeals of the State of Virginia. October 11, 1909. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr. George Bryan* for plaintiff in error. *Mr. Frank W. Christian* and *Mr. Leigh Robinson* for defendants in error.

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No. 10. THE PEOPLE OF PORTO RICO, APPELLANTS, *v.* THE ROMAN CATHOLIC APOSTOLIC CHURCH IN PORTO RICO. Appeal from the Supreme Court of Porto Rico. October 11, 1909. Dismissed, per stipulation. *Mr. Frank Feuille, Mr. Charles Hartzell, Mr. Henry M. Hoyt, 2d.,* for appellants. *Mr. Paul Fuller* and *Mr. Frederic R. Coudert* for appellee.

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No. 14. THE ROMAN CATHOLIC APOSTOLIC CHURCH IN PORTO RICO, APPELLANT, *v.* THE PEOPLE OF PORTO RICO. Appeal from the Supreme Court of Porto Rico. October 11, 1909. Dismissed, per stipulation. *Mr. Frederic R. Coudert* and *Mr. Paul Fuller* for appellant. *Mr. Frank Feuille, Mr. Charles Hartzell* and *Mr. Henry M. Hoyt, 2d.,* for appellees.

Cases Disposed of Without Consideration by the Court. 215 U. S.

No. 78. W. B. HADLEY, ACTING AUDITOR OF PORTO RICO, APPELLANT, *v.* H. H. SCOVILLE, CLERK, ET AL. Appeal from the District Court of the United States for Porto Rico. October 11, 1909. Dismissed with costs, on motion of counsel for appellant. *Mr. Henry M. Hoyt, 2d.*, for appellant. *Mr. N. B. K. Pettingill* for appellees.

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No. 82. SUPREME COUNCIL OF THE ROYAL ARCANUM, PLAINTIFF IN ERROR, *v.* A. G. BRENIZER. In error to the Supreme Court of the State of North Carolina. October 11, 1909. Dismissed with costs, on motion of counsel for plaintiff in error. *F. H. Busbee* and *Mr. Charles W. Tillett* for plaintiff in error. No appearance for the defendant in error.

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No. 170. JULIO O. ABRIL, AS ATTORNEY IN FACT OF JOSE T. SILVA, APPELLANT, *v.* MODESTO COBIAN Y MUNIZ. Appeal from the Supreme Court of Porto Rico. October 11, 1909. Dismissed with costs, on motion of counsel for appellant. *Mr. John Larkin* for appellant. *Mr. Charles F. Carusi* for appellee.

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No. 216. THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* EMMA M. SEWELL. In error to the Supreme Court of the State of Kansas. October 11, 1909. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr. Robert Dunlap* for plaintiff in error. *Mr. Charles F. Hutchings* for defendant in error.

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No. 326. WARD LUMBER COMPANY, INCORPORATED, PLAIN-

215 U. S. Cases Disposed of Without Consideration by the Court.

TIFF IN ERROR, *v.* HENDERSON-WHITE MANUFACTURING COMPANY, INCORPORATED. In error to the Supreme Court of Appeals of the State of Virginia. October 11, 1909. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr. Aubrey E. Strobe* for plaintiff in error. No appearance for defendant in error.

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No. 403. HARRISON CROOK, PLAINTIFF IN ERROR, *v.* INTERNATIONAL TRUST COMPANY OF MARYLAND. In error to the Court of Appeals of the District of Columbia. October 11, 1909. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr. Wilton J. Lambert* for plaintiff in error. *Mr. Walter C. Clephane* and *Mr. W. Calvin Chesnut* for defendant in error.

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No. 404. HARRISON CROOK, PLAINTIFF IN ERROR, *v.* INTERNATIONAL TRUST COMPANY OF MARYLAND. In error to the Court of Appeals of the District of Columbia. October 11, 1909. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr. Wilton J. Lambert* for plaintiff in error. *Mr. Walter C. Clephane* and *Mr. W. Calvin Chesnut* for defendant in error.

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No. 17. THE IRRIGATION LAND & IMPROVEMENT COMPANY, APPELLANT, *v.* ETHAN ALLEN HITCHCOCK, SECRETARY OF THE INTERIOR. Appeal from the Court of Appeals of the District of Columbia. October 22, 1909. Dismissed on motion of *Mr. George H. Patrick* for appellant. *Mr. George Turner* and *Mr. George H. Patrick* for appellant. *The Attorney General, The Solicitor General* and *Mr. Joseph R. Webster* for appellee.

Cases Disposed of Without Consideration by the Court. 215 U. S.

No. 33. INTERNATIONAL TEXTBOOK COMPANY, APPELLANT, *v.* THE CITY OF OTTUMWA. Appeal from the Circuit Court of the United States for the Southern District of Iowa. November 1, 1909. Dismissed with costs, on motion of counsel for appellant. *Mr. David C. Harrington* for appellant. No appearance for appellee.

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No. 83. FAIRMONT COAL COMPANY ET AL., APPELLANTS, *v.* MERCHANTS' COAL COMPANY. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. November 1, 1909. Dismissed with costs, on motion of counsel for appellants. *Mr. Edgar H. Gans* for appellants. *Mr. William A. Glasgow, Jr., Mr. Frank Gosnell* and *Mr. George Weems Williams* for appellee.

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No. 84. WASHINGTON GAS LIGHT COMPANY ET AL., APPELLANTS AND PLAINTIFFS IN ERROR, *v.* HENRY B. F. MACFARLAND ET AL., COMMISSIONERS OF THE DISTRICT OF COLUMBIA. Appeal from and in error to the Court of Appeals of the District of Columbia. November 1, 1909. Dismissed with costs, on motion of counsel for appellants and plaintiffs in error. *Mr. R. Ross Perry, Mr. R. Ross Perry, Jr., and Mr. Wilton J. Lambert* for appellants and plaintiffs in error. *Mr. Edward H. Thomas* for appellees and defendants in error.

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No. 304. MARY HALLIGAN, AS ADMINISTRATRIX, ETC., APPELLANT, *v.* THE TRINIDAD SHIPPING & TRADING COMPANY, LIMITED, ET AL. Appeal from the District Court of the United States for the Southern District of New York. November 1, 1909. Dismissed, per stipulation. *Mr. W. W. Gooch* and *Mr.*

215 U. S. Cases Disposed of Without Consideration by the Court.

*Frederic C. Scofield* for appellant. *Mr. J. Parker Kirlin* and *Mr. Charles R. Hickox* for appellees.

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No. 502. *R. G. MULLEN, APPELLANT, v. FRED FORNOFF, CAPTAIN, ETC.* Appeal from the District Court for the First Judicial District of the Territory of New Mexico. November 1, 1909. Dismissed with costs, on motion of counsel for appellant. *Mr. William P. Borland* for appellant. No appearance for appellee.

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No. 44. *OSWALD C. LUDWIG, AS SECRETARY OF STATE OF THE STATE OF ARKANSAS, APPELLANT, v. THE CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY.* Appeal from the Circuit Court of the United States for the Eastern District of Arkansas. November 11, 1909. Dismissed, per stipulation. *Mr. George W. Hendricks, Mr. William H. Arnold, Mr. William F. Kirby* and *Mr. Hal L. Norwood* for appellant. *Mr. Thomas S. Buzbee* for appellee.

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No. 219. *ALPHONSE DUFAUR ET AL., APPELLANTS, v. THE UNITED STATES.* Appeal from the District Court of the United States for the Northern District of Illinois. November 29, 1909. Dismissed per stipulation, on motion of *Mr. Solicitor General Bowers* for appellee. *Mr. Holmes Conrad* and *Mr. E. N. Zoline* for appellants. *The Attorney General* and *The Solicitor General* for appellee.

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No. 55. *FRANK P. PLAMONDON, PLAINTIFF IN ERROR, v. THE STATE OF KANSAS.* In error to the Supreme Court of the

Cases Disposed of Without Consideration by the Court. 215 U. S.

State of Kansas. December 2, 1909. Dismissed with costs, pursuant to the tenth rule. *Mr. C. A. Magaw* for plaintiff in error. *Mr. Fred S. Jackson* for defendant in error.

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No. 444. HENRY C. KING, PLAINTIFF IN ERROR, *v.* THE STATE OF WEST VIRGINIA ET AL. In error to the Supreme Court of Appeals of the State of West Virginia. December 14, 1909. Dismissed with costs, pursuant to the tenth rule. *Mr. Maynard F. Stiles* and *Mr. John G. Carlisle* for plaintiff in error. *Mr. John F. Dillon*, *Mr. Harry Hubbard*, *Mr. Edward C. Lyon*, *Mr. William G. Conley*, *Mr. John A. Sheppard*, *Mr. C. W. Campbell*, *Mr. Wells Goodykoontz*, *Mr. D. J. F. Strother* and *Mr. L. C. Anderson* for defendants in error.

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No. 227. ATLANTIC COAST LINE RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* W. C. GERATY. In error to the Supreme Court of the State of South Carolina. December 20, 1909. Dismissed with costs, on motion of *Mr. Frederic D. McKenney* of counsel for plaintiff in error. *Mr. Frederic D. McKenney* and *Mr. P. A. Willcox* for plaintiff in error. No appearance for defendant in error.

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No. 539. THE UNITED STATES, PLAINTIFF IN ERROR, *v.* AMERICAN BONDING COMPANY OF BALTIMORE. In error to the United States Circuit Court of Appeals for the Ninth Circuit. January 3, 1910. Dismissed on motion of *Mr. Solicitor General Bowers* for plaintiff in error. *The Attorney General* and *The Solicitor General* for plaintiff in error. No appearance for defendant in error.

215 U. S. Cases Disposed of Without Consideration by the Court.

No. 540. THE UNITED STATES, PLAINTIFF IN ERROR, *v.* RUDOLPH AXMAN. In error to the United States Circuit Court of Appeals for the Ninth Circuit. January 3, 1910. Dismissed on motion of *Mr. Solicitor General Bowers* for plaintiff in error. *The Attorney General* and *The Solicitor General* for plaintiff in error. No appearance for defendant in error.

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No. 528. THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* MITCHELL E. PICKENS. In error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas. January 3, 1910. Dismissed with costs, on motion of *Mr. Evans Browne*, in behalf of counsel for plaintiff in error. *Mr. Andrew H. Culwell* and *Mr. Gardiner Lathrop* for plaintiff in error. *Mr. Waters Davis* for defendant in error.

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No. 341. CENTRAL OF GEORGIA RAILWAY COMPANY, APPELLANT, *v.* WILLIAM A. WRIGHT, COMPTROLLER-GENERAL OF GEORGIA, ET AL. Appeal from the Circuit Court of the United States for the Northern District of Georgia. January 3, 1910. Dismissed with costs, on motion of counsel for appellants. *Mr. Alexander R. Lawton*, *Mr. Henry C. Cunningham* and *Mr. T. M. Cunningham, Jr.*, for appellant. No appearance for appellees.

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No. 420. JOHN HOBSON NELSON, APPELLANT, *v.* THE CITY OF MURFREESBORO ET AL. Appeal from the Circuit Court of the United States for the Middle District of Tennessee. January 3, 1910. Dismissed with costs, on motion of counsel for appellant. *Mr. John J. Vertrees* for appellant. No appearance for appellees.

Cases Disposed of Without Consideration by the Court. 215 U. S.

No. 76. J. A. HUGHES, PLAINTIFF IN ERROR, *v.* THE COLLIN COUNTY NATIONAL BANK. In error to the Circuit Court of the United States for the District of Colorado. January 7, 1910. Dismissed with costs, pursuant to the tenth rule. *Mr. Clayton C. Dorsey* and *Mr. William D. Hodges* for plaintiff in error. No appearance for defendant in error.

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No. 175. CUDAHY PACKING COMPANY, PLAINTIFF IN ERROR, *v.* THE STATE OF MINNESOTA. In error to the Supreme Court of the State of Minnesota. January 18, 1910. Dismissed, per stipulation. *Mr. Moritz Heim* for plaintiff in error. *Mr. E. T. Young*, *Mr. George W. Peterson* and *Mr. Al J. Smith* for defendant in error.

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No. 507. WOODWARD CARRIAGE COMPANY ET AL., APPELLANTS, *v.* PITTS LIVERY COMPANY ET AL. Appeal from the District Court of the United States for the Western District of Texas. January 19, 1910. Dismissed with costs, on motion of counsel for appellants. *Mr. T. D. Cobbs* for appellants. No appearance for appellees.

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No. 338. THE UNITED STATES, PLAINTIFF IN ERROR, *v.* CHARLES S. SARGENT. In error to the United States Circuit Court of Appeals for the Eighth Circuit. January 24, 1910. Dismissed on motion of *Mr. Solicitor General Bowers* for plaintiff in error. *The Attorney General* and *The Solicitor General* for plaintiff in error. *Mr. Luther C. Harris* for defendant in error.

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No. 750. FRED ANDERSON, PLAINTIFF IN ERROR, *v.* THE



215 U. S.

Case Disposed of in Vacation.

UNITED STATES. In error to the District Court of the United States for the District of Minnesota. January 24, 1910. Docketed and dismissed on motion of *Mr. Solicitor General Bowers* for defendant in error. *The Attorney General* and *The Solicitor General* for defendant in error. No appearance for plaintiff in error.

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No. 109. T. M. STANCLIFT ET AL., ETC., APPELLANTS, *v.* CHARLIE FOX ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. January 24, 1910. Dismissed with costs pursuant to the tenth rule. *Mr. William T. Hutchings* for appellant. *Mr. Preston C. West* for appellees.

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No. 695. RACHEL A. RICHARDSON, CLAIMING TO BE RACHEL A. BROWN, PLAINTIFF IN ERROR, *v.* MARY S. REEVES ET AL. In error to the Court of Appeals of the District of Columbia. January 26, 1910. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr. Tracy L. Jeffords* for the plaintiff in error. *Mr. Benjamin H. Schwartz* and *Mr. Milton Strasburger* for defendants in error.

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#### CASE DISPOSED OF IN VACATION.

No. 65. PATRICK COX, APPELLANT, *v.* LUMAN T. HOY, UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF ILLINOIS. Appeal from the District Court of the United States for the Northern District of Illinois. July 7, 1909. Dismissed pursuant to the 28th rule. *Mr. William Dillon* for appellant. *Mr. William G. Johnson* and *The Attorney General* for appellee.